

OCT 10 2005

PTO/SB/21 (09-04)

 Approved for use through 07/31/2006. OMB 0851-0031  
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number	10/701,331
Filing Date	11/04/2003
First Named Inventor	O. CINES
Art Unit	1633
Examiner Name	S. KAUSHAL
Attorney Docket Number	UPN-02906AUSA

**ENCLOSURES** (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	HOWSON AND HOWSON		
Signature	<i>Mary E. Bak</i>		
Printed name	MARY E. BAK		
Date	10/10/2005	Reg. No.	31,215

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>J. Jason Galvez</i>		
Typed or printed name	J. JASON GALVEZ	Date	10/10/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UPN-02906AUSA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/701,331 Confirmation No.: 5594  
Applicant : D. Cines *et al.*  
Filed : November 4, 2003  
TC/A.U. : 1633  
Examiner : S. Kaushal  
Customer No. : 00270  
Title : DELIVERY VEHICLE FOR RECOMBINANT PROTEINS

RECEIVED  
CENTRAL FAX CENTER

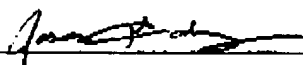
OCT 10 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION  
UNDER 37 CFR 1.8

I certify that this paper is being facsimile transmitted to the  
Commissioner For Patents, the United States Patent and  
Trademark Office, on the date shown below.

Signed

Printed Name J. Jason Galvez

Dated: October 10, 2005

**RESPONSE UNDER 35 U.S.C. § 121 AND AMENDMENT**

Sir:

This paper is in timely response to the Office Action dated September 9, 2005  
(October 9, 2005 falling on a Sunday). Please enter the following amendments and  
election.

**Election of Species** is made on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of the claims beginning on  
page 3 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.

UPN-02906AUSA

ELECTION OF SPECIES

Applicants herewith elect, with traverse, prosecution of the following species with the corresponding claim number as indicated by the Examiner's species election requirement:

1. As indicated in claim 3, Applicants elect the alleged species of megakaryotic/erythrocyte progenitor cells.
2. As indicated in claim 4, Applicants elect the alleged species of megakaryocytes.
3. As indicated in claim 5, Applicants elect the alleged species of neutrophils.
4. As indicated in claim 7, Applicants elect the alleged species of dendritic cells.
5. As indicated in claim 10, Applicants elect the alleged species of platelet factor 4 promoter.
6. As indicated in claim 12, Applicants elect the alleged species of DEFA1 human neutrophil alpha defensin promoter.
7. As indicated in claim 16, Applicants elect the alleged species of human eotaxin gene promoter.
8. As indicated in claim 21, Applicants elect the alleged species of megakaryocytes.
9. As indicated in claim 34, Applicants elect the alleged species of u-PA.